

CITY OF BALTIMORE
RESOLUTION _____
Council Bill 18-0199
(Charter Amendment)

Introduced by: Councilmembers Dorsey, Burnett, Schleifer, Henry, Sneed, Clarke, Scott

Introduced and read first time: March 12, 2018

Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: June 25, 2018

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

Charter Amendment – Office of the Inspector General

1
2 FOR the purpose of creating an independent Office of the Inspector General headed by an
3 Inspector General; establishing the process for appointing and terminating the Inspector
4 General; establishing the powers and duties of the Office of the Inspector General; ~~appointing~~
5 ~~the Inspector General to serve as the Executive Director of the Board of Ethics; granting the~~
6 ~~Inspector General the authority to cancel or suspend certain contracts with the concurrence of~~
7 ~~the City Solicitor; setting a minimum guaranteed funding level for the Office of the Inspector~~
8 ~~General; setting a minimum guaranteed compensation level for the Inspector General;~~
9 granting the Inspector General the power to issue subpoenas; requiring the Office of the
10 Inspector General to issue an annual public report; ~~requiring City employees and officials to~~
11 ~~forward certain types of complaints to the Office of the Inspector General; requiring the~~
12 ~~Office of the Inspector General to keep the identities of complainants confidential to the~~
13 ~~extent allowed by law; providing for certain administrative procedures;~~ establishing
14 procedures to transition the existing Office of the Inspector General in the Law Department
15 into the newly created independent Office of the Inspector General; generally relating to the
16 Office of the Inspector General; and submitting this amendment to the qualified voters of the
17 City for adoption or rejection.

18 ~~BY proposing to add~~

19 ~~Article VII - Executive Departments~~

20 ~~Section(s) 135 to 142, to be under the new subtitle;~~

21 ~~“Office of the Inspector General”~~

22 ~~Baltimore City Charter~~

23 ~~(1996 Edition)~~

24 BY proposing to add

25 Article X - Office of the Inspector General

26 Section(s) 1 to 6

27 Baltimore City Charter

28 (1996 Edition)

29 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the**
30 **City Charter is proposed to be amended to read as follows:**

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter stricken by amendment.

Council Bill 18-0199

Baltimore City Charter

Article VII. Executive Departments

OFFICE OF THE INSPECTOR GENERAL

ARTICLE X. OFFICE OF THE INSPECTOR GENERAL

§ 1 135. OFFICE OF THE INSPECTOR GENERAL: OFFICE ESTABLISHED.

THERE IS AN OFFICE OF THE INSPECTOR GENERAL, THE HEAD OF WHICH IS THE INSPECTOR GENERAL.

§ 2 136. OFFICE OF THE INSPECTOR GENERAL: INSPECTOR GENERAL.

(A) APPOINTMENT.

(1) THE INSPECTOR GENERAL IS APPOINTED BY AN ADVISORY BOARD ~~COMPRISING THE FOLLOWING OR THEIR RESPECTIVE DESIGNEES~~; TO BE COMPRISED OF 5 OR 7 MEMBERS AS PROVIDED IN THIS SUBSECTION (A).

(2) THE ADVISORY BOARD CONSISTS OF THE FOLLOWING:

(I) THE MAYOR, OR THE MAYOR’S DESIGNEE;

(II) THE CITY SOLICITOR, WHO SERVES AS THE CHAIR OF THE ADVISORY BOARD AND MAY ASSIGN STAFF TO THE ADVISORY BOARD FROM THE LAW DEPARTMENT;

(III) THE COMPTROLLER, OR THE COMPTROLLER’S DESIGNEE;

(IV) THE CITY COUNCIL PRESIDENT; OR THE PRESIDENT’S DESIGNEE; AND

~~(V) THE STATE’S ATTORNEY FOR BALTIMORE CITY;~~

~~(VI) A MEMBER OF THE BALTIMORE CITY HOUSE OR SENATE DELEGATION TO THE MARYLAND GENERAL ASSEMBLY, SELECTED BY THE BALTIMORE CITY HOUSE AND SENATE DELEGATIONS TO THE MARYLAND GENERAL ASSEMBLY;~~

~~(VII) THE DEAN OF THE UNIVERSITY OF MARYLAND SCHOOL OF LAW;~~

~~(VIII) THE DEAN OF THE UNIVERSITY OF BALTIMORE SCHOOL OF LAW; AND~~

(V) (IX) A MEMBER OF THE CITY COUNCIL SELECTED BY MAJORITY VOTE OF THE COUNCIL APPOINTED BY THE CITY COUNCIL PRESIDENT.

(3) THE MAYOR AND CITY COUNCIL PRESIDENT MAY APPOINT 2 ADDITIONAL MEMBERS TO THE ADVISORY BOARD FROM THE LIST PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION IF:

Council Bill 18-0199

1 (I) THE MAYOR AND THE CITY COUNCIL PRESIDENT JOINTLY AGREE TO AN
2 APPOINTMENT; AND

3 (II) THE MEMBERS APPOINTED AGREE TO SERVE ON THE ADVISORY BOARD.

4 (4) THE 2 ADDITIONAL MEMBERS THAT MAY BE SELECTED TO SERVE ON THE ADVISORY
5 BOARD PURSUANT TO PARAGRAPH (3) OF THIS SUBSECTION MAY ONLY BE AS FOLLOWS:

6 (I) THE DEAN OF THE UNIVERSITY OF MARYLAND SCHOOL OF LAW; AND

7 (II) THE DEAN OF THE UNIVERSITY OF BALTIMORE SCHOOL OF LAW.

8 (5) ~~(2)~~ A QUORUM OF THE ADVISORY BOARD CONSISTS OF ~~5~~ 4 MEMBERS.

9 (6) ~~(3)~~ AN AFFIRMATIVE VOTE OF AT LEAST ~~5~~ 4 MEMBERS SHALL BE NECESSARY TO
10 APPOINT AN INSPECTOR GENERAL.

11 (B) *QUALIFICATIONS.*

12 (1) THE INSPECTOR GENERAL SHALL BE APPOINTED WITHOUT REGARD TO POLITICAL
13 AFFILIATION AND MUST HAVE SUBSTANTIAL EXPERIENCE IN ~~ACCOUNTING~~ AUDITING,
14 FINANCIAL ANALYSIS, CRIMINAL JUSTICE LAW, MANAGEMENT ANALYSIS, PUBLIC
15 ADMINISTRATION, ~~OR INVESTIGATIONS,~~ OR ANOTHER APPROPRIATE FIELD.

16 (2) THE INSPECTOR GENERAL SHALL HOLD AT THE TIME OF APPOINTMENT, OR BE
17 REQUIRED TO OBTAIN WITHIN 7 MONTHS AFTER APPOINTMENT, CERTIFICATION AS A
18 CERTIFIED INSPECTOR GENERAL.

19 (C) *TERM.*

20 THE INSPECTOR GENERAL SHALL SERVE A TERM OF 6 YEARS COMMENCING FROM THE
21 DATE OF APPOINTMENT.

22 (D) *REMOVAL.*

23 ~~BEFORE THE EXPIRATION OF A 6 YEAR TERM, THE INSPECTOR GENERAL MAY ONLY BE~~
24 ~~REMOVED WITH AN AFFIRMATIVE VOTE OF AT LEAST 5 MEMBERS OF THE ADVISORY~~
25 ~~BOARD, AFTER A FINDING THAT THE INSPECTOR GENERAL HAS:~~

26 ~~(1) FAILED TO PERFORM THE DUTIES OUTLINED IN §137 OF THIS ARTICLE;~~

27 ~~(2) BEEN CONVICTED OF A CRIMINAL ACT, OTHER THAN A NUISANCE CRIME ELIGIBLE~~
28 ~~FOR EXPUNGEMENT UNDER MARYLAND CRIMINAL PROCEDURE ARTICLE~~
29 ~~§10-105(A)(9);~~

30 ~~(3) IN THE ADVISORY BOARD'S SOLE DETERMINATION, COMMITTED MISCONDUCT OR~~
31 ~~MALFEASANCE IN OFFICE THAT UNDERMINES THE CREDIBILITY OF THE INSPECTOR~~
32 ~~GENERAL AND HINDERS THEIR ABILITY TO PERFORM THEIR DUTIES; OR~~

Council Bill 18-0199

1 ~~(4) IN THE ADVISORY BOARD'S SOLE DETERMINATION, DEMONSTRATED A PATTERN OF~~
2 ~~INCOMPETENCE AND LACK OF FITNESS FOR THE POSITION.~~

3 THE INSPECTOR GENERAL MAY BE REMOVED FROM OFFICE BY AN AFFIRMATIVE VOTE OF
4 AT LEAST 4 MEMBERS OF THE ADVISORY BOARD FOR:

5 (1) MISCONDUCT IN OFFICE;

6 (2) PERSISTENT FAILURE TO PERFORM THE DUTIES OF OFFICE; OR

7 (3) CONDUCT PREJUDICIAL TO THE PROPER ADMINISTRATION OF JUSTICE.

8 (E) REPORTS CONCERNING A VACANCY OR INCAPACITY.

9 WHENEVER THE OFFICE OF THE INSPECTOR GENERAL REMAINS VACANT FOR 180 DAYS, OR
10 WHENEVER THE INSPECTOR GENERAL IS INCAPACITATED OR OTHERWISE UNABLE TO
11 PERFORM THE DUTIES OF THE OFFICE FOR 180 DAYS, THE CHAIR OF THE ADVISORY BOARD
12 SHALL ISSUE A REPORT TO THE CITY COUNCIL ON THE 180TH DAY, AND EVERY 2 MONTHS
13 THEREAFTER UNTIL THE VACANCY IS FILLED OR THE INSPECTOR GENERAL REPORTS TO
14 WORK, DESCRIBING THE STATUS OF THE EFFORTS TO FILL THE VACANCY OR THE STATUS OF
15 THE ABSENT INSPECTOR GENERAL.

16 (F) ~~(E)~~ PERFORMANCE REVIEW.

17 THE ADVISORY BOARD SHALL MEET AT LEAST ONCE ANNUALLY TO REVIEW THE
18 PERFORMANCE OF THE INSPECTOR GENERAL.

19 ~~(F) ACTING INSPECTOR GENERAL.~~

20 ~~(1) WHENEVER A VACANCY OCCURS FOR THE INSPECTOR GENERAL, OR WHENEVER~~
21 ~~THE INSPECTOR GENERAL IS INCAPACITATED OR OTHERWISE UNAVAILABLE FOR~~
22 ~~DUTY FOR ANY CAUSE, THE HIGHEST RANKING EMPLOYEE OF THE OFFICE OF THE~~
23 ~~INSPECTOR GENERAL SHALL BE THE ACTING INSPECTOR GENERAL UNTIL THE~~
24 ~~VACANCY IS FILLED OR THE INSPECTOR GENERAL IS AGAIN AVAILABLE FOR DUTY.~~

25 ~~(2) THE CHAIR OF THE ADVISORY BOARD SHALL:~~

26 ~~(i) ISSUE A PROGRESS REPORT TO THE CITY COUNCIL DESCRIBING THE STATUS~~
27 ~~OF THE EFFORTS TO FILL THE VACANCY, OR THE INSPECTOR GENERAL'S~~
28 ~~INCAPACITY OR UNAVAILABILITY, 180 DAYS FROM THE DATE ANY~~
29 ~~VACANCY OCCURS, OR THE DATE THAT THE INSPECTOR GENERAL IS~~
30 ~~INCAPACITATED OR OTHERWISE UNAVAILABLE FOR DUTY FOR ANY CAUSE;~~
31 ~~AND~~

32 ~~(ii) ISSUE AN ADDITIONAL PROGRESS REPORT EVERY 60 DAYS THEREAFTER~~
33 ~~UNTIL THE VACANCY IS FILLED OR THE INSPECTOR GENERAL RETURNS TO~~
34 ~~DUTY.~~

Council Bill 18-0199

1 **§ 3 137. OFFICE OF THE INSPECTOR GENERAL: POWERS AND DUTIES OF OFFICE.**

2 (A) *HEAD OF OFFICE.*

3 THE INSPECTOR GENERAL SHALL SUPERVISE AND DIRECT THE OFFICE OF THE INSPECTOR
4 GENERAL.

5 (B) *RESPONSIBILITIES OF THE OFFICE.*

6 THE OFFICE OF THE INSPECTOR GENERAL IS RESPONSIBLE FOR:

7 ~~(1) PROMOTING EFFICIENCY, ACCOUNTABILITY, AND INTEGRITY IN CITY~~
8 ~~GOVERNMENT;~~

9 (1) (2) INVESTIGATING COMPLAINTS OF FRAUD, FINANCIAL WASTE, AND ABUSE IN
10 CITY GOVERNMENT; AND

11 (2) (3) PROMOTING ETHICAL, FISCAL, AND LEGAL ACCOUNTABILITY EFFICIENCY,
12 ACCOUNTABILITY, AND INTEGRITY IN CITY GOVERNMENT.

13 (C) *JURISDICTION OF OFFICE.*

14 THE OFFICE OF THE INSPECTOR GENERAL MAY INVESTIGATE ALLEGATIONS THAT INVOLVE
15 CITY GOVERNMENT AND POTENTIAL VIOLATIONS OF LAWS OR REGULATIONS BY ANY:

16 (1) CITY ELECTED OFFICIAL;

17 (2) CITY EMPLOYEE;

18 (3) MEMBER OF A BOARD OR COMMISSION ESTABLISHED OR GOVERNED BY THE CITY
19 CHARTER, CITY CODE, OR AN EXECUTIVE ORDER ISSUED BY THE MAYOR;

20 (4) CITY CONTRACTOR OR PERSON NEGOTIATING A CONTRACT WITH THE CITY;

21 (5) PERSON SEEKING CERTIFICATION TO PROVIDE GOODS OR SERVICES TO THE CITY; OR

22 (6) EXTERNAL RECIPIENT OF CITY FUNDS, BENEFITS, OR SERVICES.

23 (D) ~~*INSPECTIONS, INVESTIGATIONS, AND EVALUATIONS ISSUING SUBPOENAS.*~~

24 ~~THE OFFICE OF THE INSPECTOR GENERAL MAY CONDUCT INDEPENDENT REVIEWS OF~~
25 ~~GOVERNMENT OPERATIONS, INCLUDING INSPECTIONS, INVESTIGATIONS, AND~~
26 ~~EVALUATIONS OF:~~

27 ~~(1) ANY ACTIVITIES, RECORDS, OR INDIVIDUALS INVOLVED WITH CITY CONTRACTS~~
28 ~~AND PROCUREMENTS; OR~~

29 ~~(2) ANY OTHER OFFICIAL ACT OR FUNCTION OF ANY GOVERNMENTAL ENTITY UNDER~~
30 ~~THE JURISDICTION OF THE OFFICE.~~

Council Bill 18-0199

1 (1) TO PERFORM THE DUTIES OF OFFICE, THE INSPECTOR GENERAL MAY ISSUE A
2 SUBPOENA TO REQUIRE:

3 (I) ANY PERSON TO APPEAR UNDER OATH AS A WITNESS; OR

4 (II) THE PRODUCTION OF ANY INFORMATION, DOCUMENT, REPORT, RECORD,
5 ACCOUNT, OR OTHER MATERIAL.

6 (2) THE INSPECTOR GENERAL MAY ENFORCE ANY SUBPOENA ISSUED PURSUANT TO
7 THIS SUBSECTION IN ANY COURT OF COMPETENT JURISDICTION.

8 (E) *ANNUAL REPORT.*

9 (1) THE OFFICE OF THE INSPECTOR GENERAL SHALL PREPARE AND PUBLISH AN ANNUAL
10 REPORT OF THE OFFICE'S ACTIVITIES.

11 (2) THE ANNUAL REPORT MAY INCLUDE RECOMMENDATIONS REGARDING PROGRAM
12 WEAKNESS, CONTRACTING IRREGULARITIES, OR OTHER INSTITUTIONAL PROBLEMS
13 DISCOVERED BY THE OFFICE.

14 (3) THE ANNUAL REPORT SHALL BE:

15 (I) SUBMITTED TO ALL OF THE MEMBERS OF THE ~~OFFICE OF THE INSPECTOR~~
16 ~~GENERAL'S~~ ADVISORY BOARD; AND

17 (II) AFTER ANY REDACTIONS REQUIRED BY LAW, POSTED ON THE OFFICE OF THE
18 INSPECTOR GENERAL'S WEBSITE.

19 ~~(F) PUBLIC REPORTS OF INVESTIGATIONS.~~

20 ~~THE INSPECTOR GENERAL MAY PUBLISH FOR PUBLIC VIEWING A REPORT OF ANY~~
21 ~~INVESTIGATION, INSPECTION, OR EVALUATION, EXCEPT THAT ANY SENSITIVE OR~~
22 ~~CONFIDENTIAL INFORMATION MUST BE REDACTED AS REQUIRED BY LAW.~~

23 ~~(G) ETHICS BOARD.~~

24 ~~THE INSPECTOR GENERAL SHALL SERVE AS THE EXECUTIVE DIRECTOR OF THE BOARD OF~~
25 ~~ETHICS ESTABLISHED UNDER § 106(A) OF THIS ARTICLE AND MODIFIED UNDER § 110 OF~~
26 ~~THIS ARTICLE, AND SHALL USE THE OFFICE OF THE INSPECTOR GENERAL'S STAFF AND~~
27 ~~RESOURCES TO SUPPORT THE BOARD OF ETHICS AND FULFILL THE EXECUTIVE DIRECTOR'S~~
28 ~~RESPONSIBILITIES.~~

29 ~~(H) REFERRALS AND JOINT INVESTIGATIONS.~~

30 ~~IF, IN THE COURSE OF ANY INSPECTION, INVESTIGATION, OR EVALUATION CONDUCTED BY~~
31 ~~THE OFFICE, THE INSPECTOR GENERAL DETERMINES THAT THERE IS REASON TO BELIEVE~~
32 ~~THAT A CRIMINAL ACT OCCURRED, THE INSPECTOR GENERAL MAY:~~

33 ~~(1) REFER THE MATTER TO THE APPROPRIATE PROSECUTORIAL AUTHORITY;~~

Council Bill 18-0199

1 ~~(2) OPEN A JOINT INVESTIGATION WITH THE APPROPRIATE PROSECUTORIAL~~
2 ~~AUTHORITY; OR~~

3 ~~(3) NOTIFY THE CITY SOLICITOR AND TAKE FURTHER ACTION IN CONCURRENCE WITH~~
4 ~~THE CITY SOLICITOR.~~

5 ~~(I) AUTHORITY TO CANCEL OR SUSPEND CONTRACTS.~~

6 ~~THE INSPECTOR GENERAL MAY, WITH THE CONCURRENCE OF THE CITY SOLICITOR,~~
7 ~~CANCEL OR SUSPEND A CONTRACT ENTERED INTO AFTER THE EFFECTIVE DATE OF THIS~~
8 ~~SECTION IF THE INSPECTOR GENERAL FINDS THAT:~~

9 ~~(1) THE CONTRACT IS NOT BEING PERFORMED; OR~~

10 ~~(2) A CONTRACTOR ON THE CONTRACT HAS PROVIDED FALSE STATEMENTS TO A CITY~~
11 ~~OFFICIAL.~~

12 ~~(J) PUBLIC AWARENESS.~~

13 ~~(1) THE INSPECTOR GENERAL SHALL TAKE APPROPRIATE STEPS TO BUILD PUBLIC~~
14 ~~AWARENESS OF THE OFFICE OF THE INSPECTOR GENERAL AND OF ALL PROCEDURES~~
15 ~~ESTABLISHED BY THE INSPECTOR GENERAL FOR RECEIVING COMPLAINTS.~~

16 ~~(2) THE INSPECTOR GENERAL SHALL PROVIDE INFORMATION TO CITY EMPLOYEES ABOUT~~
17 ~~THE IDENTIFICATION AND PREVENTION OF FRAUD, WASTE, AND ABUSE OF OFFICE IN~~
18 ~~CITY GOVERNMENT.~~

19 ~~(K) POLICY RECOMMENDATIONS.~~

20 ~~THE INSPECTOR GENERAL MAY, ON ANY MATTER OF POLICY OR PRACTICE, MAKE~~
21 ~~RECOMMENDATIONS TO THE MAYOR OR TO THE HEAD OF ANY CITY DEPARTMENT OR~~
22 ~~AGENCY, IF THE INSPECTOR GENERAL BELIEVES THAT THE IMPLEMENTATION OF THE~~
23 ~~RECOMMENDATION WOULD ASSIST IN THE PROMOTION OF EFFICIENCY, ACCOUNTABILITY,~~
24 ~~AND INTEGRITY IN CITY GOVERNMENT.~~

25 ~~(L) POLICIES AND PROCEDURES.~~

26 ~~THE INSPECTOR GENERAL SHALL ESTABLISH POLICIES AND PROCEDURES THAT GUIDE THE~~
27 ~~FUNCTIONS AND PROCESSES CONDUCTED BY THE OFFICE OF THE INSPECTOR GENERAL.~~

28 **§ 4 138. OFFICE OF THE INSPECTOR GENERAL: FUNDING BUDGET.**

29 ~~(A) IN GENERAL.~~

30 ~~THE BOARD OF ESTIMATES SHALL ANNUALLY INCLUDE IN THE ORDINANCE OF ESTIMATES~~
31 ~~SUBMITTED TO THE CITY COUNCIL AN AMOUNT SUFFICIENT TO FUND THE OFFICE OF THE~~
32 ~~INSPECTOR GENERAL AT NOT LESS THAN 10 TIMES THE SALARY OF THE MAYOR.~~

Council Bill 18-0199

1 ~~(B) INSPECTOR GENERAL'S SALARY INCLUDED.~~

2 ~~(1) THE INSPECTOR GENERAL'S COMPENSATION SHALL BE AT LEAST EQUAL TO 80% OF~~
3 ~~THE MAYOR'S COMPENSATION.~~

4 ~~(2) THE INSPECTOR GENERAL'S COMPENSATION MAY BE INCLUDED IN THE FUNDING~~
5 ~~PROVIDED UNDER SUBSECTION(A) OF THIS SECTION AND NEED NOT BE APPROPRIATED~~
6 ~~IN ADDITION TO THAT FUNDING IN THE ORDINANCE OF ESTIMATES.~~

7 (A) PROPOSED BUDGET.

8 THE INSPECTOR GENERAL SHALL FORMULATE AND PREPARE ANNUALLY, OR AS
9 FREQUENTLY AS REQUIRED BY LAW, A PROPOSED BUDGET TO FUND THE OPERATIONS OF
10 THE OFFICE AND SHALL TRANSMIT THE PROPOSED BUDGET TO THE ADVISORY BOARD FOR
11 ITS REVIEW.

12 (B) REVIEW OF PROPOSED BUDGET.

13 (1) THE ADVISORY BOARD SHALL MEET TO REVIEW THE PROPOSED BUDGET SUBMITTED BY
14 THE INSPECTOR GENERAL FOR THE PURPOSE OF ASSESSING AND DETERMINING
15 WHETHER, IN THE JUDGEMENT OF THE ADVISORY BOARD, THE PROPOSED BUDGET
16 PROVIDES SUFFICIENT FUNDING TO MEET THE DUTIES OF THE OFFICE.

17 (2) THE ADVISORY BOARD SHALL, BY AN AFFIRMATIVE VOTE OF AT LEAST 4 OF ITS
18 MEMBERS, EITHER:

19 (I) APPROVE THE PROPOSED BUDGET AS SUBMITTED; OR

20 (II) REVISE THE PROPOSED BUDGET IF THE ADVISORY BOARD DISAGREES WITH THE
21 SUBSTANCE OF ANY ITEM CONTAINED IN THE PROPOSED BUDGET, INCLUDING
22 ESTIMATES OF NEED AND AMOUNTS OF REQUESTED FUNDING.

23 (C) SUBMISSION.

24 (1) THE BUDGET APPROVED BY THE ADVISORY BOARD PURSUANT TO SUBSECTION (B) OF
25 THIS SECTION SHALL BE THE OFFICE BUDGET THE ADVISORY BOARD RECOMMENDS TO
26 THE BOARD OF ESTIMATES.

27 (2) THE ADVISORY BOARD, ON BEHALF OF THE OFFICE OF THE INSPECTOR GENERAL,
28 SHALL SUBMIT THE RECOMMENDED BUDGET TO THE BOARD OF ESTIMATES IN A
29 TIMELY MANNER IN ORDER FOR THE RECOMMENDED BUDGET TO BE CONSIDERED FOR
30 INCLUSION IN THE ORDINANCE OF ESTIMATES.

31 (D) FUNDING.

32 THE OFFICE OF THE INSPECTOR GENERAL SHALL BE FUNDED ANNUALLY IN THE
33 ORDINANCE OF ESTIMATES.

Council Bill 18-0199

~~§ 139. OFFICE OF THE INSPECTOR GENERAL: ACCESS TO PERSONS AND RECORDS; SUBPOENA POWER.~~

~~(A) ACCESS TO PERSONS:~~

~~THE INSPECTOR GENERAL SHALL HAVE ACCESS TO ANY HEAD OF ANY CITY ENTITY UNDER THE JURISDICTION OF THE OFFICE OF THE INSPECTOR GENERAL WHEN NECESSARY FOR ANY PURPOSE PERTAINING TO THE INSPECTOR GENERAL'S POWERS AND DUTIES.~~

~~(B) ACCESS TO RECORDS:~~

~~AS ALLOWED BY LAW, THE INSPECTOR GENERAL SHALL HAVE ACCESS TO ALL RECORDS OF ANY CITY ENTITY UNDER ITS JURISDICTION. OFFICERS AND EMPLOYEES OF CITY ENTITIES SHALL PROMPTLY PROVIDE TO THE INSPECTOR GENERAL ANY INFORMATION, DOCUMENT, REPORT, RECORD, ACCOUNT, OR OTHER MATERIAL REQUESTED BY THE INSPECTOR GENERAL, AND THE INSPECTOR GENERAL IS NOT REQUIRED TO OBTAIN A SUBPOENA FOR ANY RECORDS REQUEST MADE TO ANY CITY ENTITY.~~

~~(C) SUBPOENA POWER:~~

~~(1) AS PART OF AN INVESTIGATION INTO ANY MATTER UNDER THE JURISDICTION OF THE OFFICE OF THE INSPECTOR GENERAL, THE INSPECTOR GENERAL MAY ISSUE A SUBPOENA INDEPENDENT OF ANY FURTHER APPROVAL FROM THE MAYOR AND CITY COUNCIL OF BALTIMORE, REQUIRING ANY PERSON TO GIVE TESTIMONY, OR PRODUCE ANY DOCUMENT, REPORT, RECORD, ACCOUNT, OR OTHER MATERIAL.~~

~~(2) A SUBPOENA ISSUED UNDER THIS SUBSECTION MAY BE JUDICIALLY ENFORCED BY THE CITY SOLICITOR IN ANY COURT OF COMPETENT JURISDICTION.~~

~~§ 140. OFFICE OF THE INSPECTOR GENERAL: DUTIES OF EMPLOYEES AND OFFICERS UNDER JURISDICTION OF THE OFFICE.~~

~~ANY OFFICER OR EMPLOYEE UNDER THE JURISDICTION OF THE OFFICE OF THE INSPECTOR GENERAL WHO RECEIVES A COMPLAINT OF FRAUD, WASTE, OR ABUSE SHALL IMMEDIATELY REFER THE COMPLAINT TO THE OFFICE OF THE INSPECTOR GENERAL.~~

~~§ 141. OFFICE OF THE INSPECTOR GENERAL: CONFIDENTIALITY.~~

~~THE OFFICE OF THE INSPECTOR GENERAL MAY NOT DISCLOSE TO ANY PERSON OUTSIDE OF THE OFFICE THE IDENTITY OF ANY COMPLAINANT WITHOUT THE CONSENT OF THE COMPLAINANT, EXCEPT WHEN DISCLOSURE IS REQUIRED BY LAW.~~

§ 5. OFFICE OF THE INSPECTOR GENERAL: ADMINISTRATION AND OPERATION.

(A) STAFF.

THE INSPECTOR GENERAL MAY APPOINT SUCH OTHER EMPLOYEES TO ASSIST IN THE CONDUCT OF THE OFFICE AS MAY BE PROVIDED IN THE ORDINANCE OF ESTIMATES.

Council Bill 18-0199

1 (B) DEPUTY INSPECTOR GENERAL.

2 (1) THE INSPECTOR GENERAL SHALL APPOINT A DEPUTY INSPECTOR GENERAL WHO
3 SHALL SERVE AS THE ACTING INSPECTOR GENERAL IF THE INSPECTOR GENERAL IS
4 ABSENT OR UNAVAILABLE FOR DUTY.

5 (C) ADMINISTRATIVE AND OPERATIONAL PROCEDURES.

6 THE ADMINISTRATIVE AND OPERATIONAL PROCEDURES OF THE OFFICE MAY BE
7 ESTABLISHED BY LAW OR BY RULE OR REGULATION ADOPTED BY THE INSPECTOR
8 GENERAL.

9 **§ 6 142. OFFICE OF THE INSPECTOR GENERAL: TRANSITION PROCEDURE.**

10 (A) *INCUMBENT INSPECTOR GENERAL.*

11 THE INDIVIDUAL HOLDING THE POSITION OF INSPECTOR GENERAL OF THE CITY OF
12 BALTIMORE IN THE LAW DEPARTMENT ON NOVEMBER 6, 2018 WILL ASSUME THE
13 POSITION OF INSPECTOR GENERAL CREATED BY ~~§ 135 OF THIS ARTICLE ON THE DATE THAT~~
14 ~~§ 135~~ THIS ARTICLE GOES INTO EFFECT.

15 (B) *INITIAL TERM .*

16 THE 6 YEAR TERM OF THE INSPECTOR GENERAL ~~ASSUMING~~ WHO ASSUMES OFFICE UNDER
17 SUBSECTION (A) OF THIS SECTION THE PROVISIONS OF THIS ARTICLE RUNS FROM THE DATE
18 OF HER OR HIS APPOINTMENT TO THE POSITION OF ~~INSPECTOR GENERAL OF THE CITY OF~~
19 ~~BALTIMORE IN THE LAW DEPARTMENT~~ EFFECTIVE DATE OF THIS ARTICLE.

20 ~~(C) FUNDING.~~

21 ~~(1) THE FUNDING REQUIREMENTS OF § 138 OF THIS ARTICLE WILL APPLY TO THE~~
22 ~~ORDINANCE OF ESTIMATES ADOPTED AFTER NOVEMBER 6, 2018 AND EACH~~
23 ~~SUBSEQUENT ORDINANCE OF ESTIMATES.~~

24 ~~(2) IN THE PERIOD BETWEEN THE EFFECTIVE DATE OF § 135 OF THIS ARTICLE AND THE~~
25 ~~ADOPTION OF A NEW ORDINANCE OF ESTIMATES, THE OFFICE OF THE INSPECTOR~~
26 ~~GENERAL CREATED BY § 135 MAY OPERATE USING THE FUNDS PREVIOUSLY~~
27 ~~APPROPRIATED FOR THE OFFICE OF THE INSPECTOR GENERAL IN THE LAW~~
28 ~~DEPARTMENT.~~

29 **SECTION 2. AND BE IT FURTHER RESOLVED,** That this proposed amendment to the City
30 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,
31 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the
32 City Solicitor.

Council Bill 18-0199

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City